

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**DEUTSCHE BANK NATIONAL TRUST)
COMPANY,**

Plaintiff,

Vs.

JANICE M. SCHWETER, ET AL.,

Defendants.

CASE NO.1:05CV2638

JUDGE CHRISTOPHER A. BOYKO

ORDER

CHRISTOPHER A. BOYKO, J:

This matter is before the Court on Plaintiff's Motion for Default Judgment. The Court will hold in abeyance Plaintiff's Motion for Default Judgment pending receipt of the following:

- 1) Documentation proving Plaintiff is the proper assignee of the Promissory Note and Mortgage in favor of Argent Mortgage Company, LLC.
- 2) Proof that the affidavit regarding Account and Competency and Military Status is executed by a person having a proper legal connection to Plaintiff.
- 3) Clarification under oath on how Amerquest Mortgage Company is the Promissory Note holder and owner of the mortgage in apparent contradiction of the named Plaintiff. (Affidavit of Nanci Jimenez, Affidavit Regarding Account and Competency and Military Status, says she is an employee of Amerquest Mortgage Company, the Plaintiff and owner and holder of the

promissory note and mortgage in this case, in contradiction to the allegations made by Deutsche Bank in its Complaint.)

Plaintiff shall be granted until May 4, 2006, to furnish the above information. Failure to comply on or before the above date shall result in the Court overruling Plaintiff's Motion for Default Judgment.

The Court vacates its Entry of Default with respect to Southwest General Health Center.

IT IS SO ORDERED.

April 24, 2006
Date

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge